**Lee Planning Board**

**32 Main Street**

**Lee, Massachusetts 01238**

**March 28, 2016**

**Present:** Chairman, Harold Sherman, Thomas Wickham, Shaun Hall, Buck Donovan and David Durante, Associate Member

**Others Present:**  Kristin O’Brien, Matt Puntin (SK Design Group)

The meeting was called to order at 6:00 P.M.

**Kristin O’Brien/Site Plan Review/Special Permit/343 Forest Street/I Zoning District**

Buck Donovan recused himself from the discussion.

Matt Puntin, of SK Design Group represented Kristin O’Brien in a continuation of a public hearing for a Special Permit under Section 199-6.1 (Non-conforming structures, uses and lots). The project is the construction of a 50’ x 100’ new storage building at 343 Forest Street. The issues the board had at the last meeting were the runoff from the hillside and across the road and stabilizing the slope.

Matt addressed the board’s concerns in regards to the stormwater runoff and drainage as it related to the proposed garage. The following were his opinions;

1. a curtain drain is not needed because when the new building is completed the surface drainage will generally stay the same, with a majority of the water flowing north and a small portion going between the buildings and to the south.
2. the infiltration chambers will provide adequate control of the roof stormwater runoff.

The petitioner submitted a plan clarifying how the excavated slop behind the proposed new building will be stabilized. They will install hydroseed and erosion control fabric to stabilize the slope.

Shaun made a motion to approve the site plan as presented. This motion was seconded by Tom and was unanimously approved, 4-0.

David made a motion to make the following findings under Section 199-6.1 B, 1 & 2.:

1. Such change, extension, or alteration shall not be substantially more detrimental then the existing nonconforming use to the neighborhood.

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1. Such extended, altered or reconstructed structure or changed use shall not be in greater nonconformity with open space, yard and off-street parking requirements of this chapter.

This motion was seconded by Sherman and was unanimously approved, 4-0.

Tom made a motion to make the following findings under Section 199-13.4 D) 1-5:

1. The project is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose.
2. The project is essential or desirable to the public convenience or welfare at the proposed location
3. The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood.
4. The project will not create undue traffic congestion or unduly impair pedestrian safety
5. The project will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.

This motion was seconded by David and was unanimously approved, 4-0.

Tom made a motion to approve the Special Permit under Section 199-6.1 for Kristin O’Brien. This motion was seconded by David and was unanimously approved, 4-0.

**Tesla Motors/Site Plan**

Jesse Karp, representing Tesla Motors came to this meeting for a site plan review. Mr. Karp was informed that the Conservation Commission wished to discuss the project with the applicant. The site plan review was rescheduled on March 28th.

**Zoning Amendment Nonconforming structures, uses and lots, Section 199-6.1 (A)(3)(c) & (d)**

There was a discussion regarding a zoning amendment to Section 199-6.1 (A)(3)(c) & (d). The board will schedule a public hearing on April 25th. The intent of the bylaw change is to relieve property owners of some of the bureaucratic and financial burden placed on them because their property is non-conforming through no action of their own. The land use assistant felt there would not be time to accomplish all that needed to be accomplished prior to he required deadlines.

Buck made a motion to move forward with the zoning amendment, hold a public hearing and place it on the warrant for the May Town Meeting. This motion was seconded by Tom and was unanimously approved, 4-0.

**Other business**

Tom made a motion to approve minutes of March 14, 2016 as written. This motion was seconded by Sherman and unanimously approved, 4-0.

Tom made a motion to adjourn this meeting. At 7:45 P.M. the meeting was adjourned.

Respectfully submitted,

Jaimy Messana

Land Use Administrative Assistant

CC: Board of Health Town Clerk

 Principal Assessor Historical Commission

 Board of Public Works Conservation Commission

 Town Administrator Building Inspector

 Board of Selectmen Town Counsel